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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,532	02/27/2002	Mark G. Torres	36968/268141	7726
23552	7590	12/21/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			DAFTUAR, SAKET K	
			ART UNIT	PAPER NUMBER
			2151	
DATE MAILED: 12/21/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/084,532

Applicant(s)

TORRES ET AL.

Examiner

Saket K. Daftuar

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 17-33 and 35 is/are pending in the application.
- 4a) Of the above claim(s) 10-16 and 34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 17-33 and 35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

1. This action is responsive to the amendment filed on November 17<sup>th</sup>, 2005. Claims 1-9, 17-33 and newly added claim 35 are presented for further examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9 and 17-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Gilles et al. U.S. Patent Number 6,104,999 (hereinafter Gilles).

As per claim 1, Gilles discloses (A) obtaining from the user information regarding a location and physical characteristics of the collocation space and equipment to be installed therein; the collocation space comprising a physical space allocated for equipment belonging to a plurality of communications entities; (see column 6, lines 40-43, please refer to response to argument below); (B) setting data field values of the application based on the information provided by the user the application comprising a form for receiving the information provided by the user; (see column 6, lines 45-49, please refer to response to argument below); (C) allowing a proposed layout of the equipment for the collocation space or other documents to be associated with and attached to the application (see column 6, lines 55-59 examiner considers particular transaction set form as a

proposed layout and see column 7, lines 1-5) ;(D) prompting submission of the application (see column 6, lines 55-59, examiner considers information or data collected inherits prompt submission) ;(E) if the user has submitted invalid or incomplete information, presenting the user with an error message and advising the user of a source of any error (see column 9, lines 53-63) ; and (F) providing confirmation of successful submission of the application (see column 9, lines 53-63, examiner considers an appropriate message as confirmation message or error message).

As per claim 2, Gilles discloses presenting additional data fields of the application for completion by the user based on the information provided by the user (see column 8, lines 56-65, examiner considers additional information can be provided by using remarks as additional data fields of the application).

As per claim 3, Gilles discloses performing a validation check of the application to determine whether the information provided by the user is accurate and complete (see column 8, lines 47-54).

As per claim 4, Gilles discloses prompting the user for resubmission of the application after the user has attempted to correct any error (see column 5, lines 24-35, examiner considers purchase order change request transaction used by reseller to resubmit previously submitted purchase order).

As per claim 5, Gilles discloses notifying an entity responsible for providing the collocation space that the application was submitted successfully (see column 5, lines 39-47).

As per claim 6, Gilles discloses allowing the user to copy contents of a previously submitted application for entry into the application (see column 5, lines 24-35, examiner considers buyer initiated transaction set and use this to change previously submitted purchase order inherits copy content of previously submitted application).

As per claim 7, Gilles discloses allowing the user to edit a copy of a previously submitted application to create a revised application and to submit the revised application to supersede the previously submitted application (see column 5, lines 24 -47).

As per claim 8, Gilles discloses accessing the database to obtain data corresponding to the information and entering the data in the data fields (see column 6, lines 51-53).

As per claim 9, Gilles discloses performing calculations based on the information and entering results in the data fields (see column 14, lines 16-25,

examiner considers a data segment value generated after transaction set occur in particular sequence inherits calculation based on data fields).

As per claims 10-16, claims 10-16 are withdrawn from further consideration.

As per claim 17, Gilles discloses (A) obtaining from the user information regarding a location and physical characteristics of the collocation space and equipment to be installed therein; the collocation space comprising a physical space allocated for equipment belonging to a plurality of communications entities; (see column 6, lines 40-43, please refer to response to argument below); (B) setting data field values of the application based on the information provided by the user the application comprising a form for receiving the information provided by the user; (see column 6, lines 45-49, please refer to response to argument below);(C) prompting submission of the application (see column 6, lines 55-59, examiner considers information or data collected inherits prompt submission) ;(D) based on data in the application, generating a workbook comprising a plurality of sections, wherein a plurality of responsible entities provide information necessary to complete the plurality of sections (see column 5, lines 11-34, examiner considers purchase order as generating a workbook);(E) setting data field values of the plurality of sections based on data in the application (see column 5, lines 16-24) ;(F) when a first section of the workbook is completed by a first

responsible entity, notifying a second responsible entity (see column 5, lines 48-53) ; and(G) sending a response to the application to the user (see column 5, lines 57-59, examiner considers providing status as sending response to the application to the user).

As per claim 18, Gilles discloses if the user has submitted inaccurate or incomplete information, presenting the user with an error message and advising the user of a source of any error (see column 9, lines 53-63, examiner considers an appropriate message as confirmation message or error message).

As per claim 19, Gilles discloses generating a critical dates section to inform the user and the plurality of responsible entities of due dates and event dates (see column 8, lines 13-19).

As per claim 20, Gilles discloses notifying a third responsible entity when a second section of the workbook is completed by the second responsible entity (see column 5, lines 48-53).

As per claim 21, Gilles discloses performing a validation check of the application to determine whether the information provided by the user is accurate and complete (see column 8, lines 47-54).

As per claim 22, Gilles discloses allowing documents to be associated with and attached to the application (see column 7, lines 51-60, examiner considers having service records and authentication information inherits documents associated with and attached to the application).

As per claim 23, Gilles discloses allowing documents to be associated with and attached to the workbook (see column 5, lines 25-34, examiner considers providing scheduling information, telephone and circuit number information, due date inquiries, reservation cancellations inherits different documents associated with workbook (purchase order)).

As per claim 24, Gilles discloses accessing the database to obtain data corresponding to the information and entering the data in the data fields (see column 6, lines 51-53).

As per claim 25, Gilles discloses performing calculations based on the information and entering results in the data fields (see column 14, lines 16-25, examiner considers a data segment value generated after transaction set occur in particular sequence inherits calculation based on data fields).

As per claim 26, Gilles discloses managing assignment of event dates and calculation of due dates related to the application (see column 8, lines 13-24,



examiner considers due date inquiry initiated by reseller sent to wholesaler and getting response from wholesaler related to due date inherits managing assignment of event dates and calculation of due dates).

As per claim 27, Gilles discloses notifying the plurality of responsible entities of the due dates and the event dates via electronic means (see column 12, lines 19-28, examiner considers telephone number assignment confirmation transmitted to a particular reseller as notifying responsible entities the event dates and due dates electronically).

As per claim 28, Gilles discloses selectively notifying an appropriate responsible entity of an event date based on the event and the location of the collocation space (see column 12, lines 5-28, examiner considers telephone number assignment confirmation transmitted to a particular reseller as notifying responsible entities the event dates and due dates on the event and the location of the collocation space).

As per claim 29, Gilles discloses that due dates are calculated utilizing a table based lookup in order to determine due date intervals based on characteristics of the application (see column 4, table 1, examiner considers look up codes for transaction set in table one inherently helps to determine due date intervals based on characteristics of the application).

As per claim 30, Gilles discloses allowing for revision of due dates for retroactive due date interval changes (see column 5, lines 25-34, examiner considers reseller requesting change to previously submitted purchase order inherently allow for revision of due dates for retroactive due date interval changes).

As per claim 31, Gilles discloses that event dates are assigned automatically to record application status changes (see column 9, lines 41-63, examiner considers automated electronic telecommunication ordering in determining available features in particular Central office and retrieving the features record and perform matching inherits event dates are assigned automatically).

As per claim 32, Gilles discloses allowing an event date to be adjusted by one of the plurality of responsible entities to reflect an accurate event date that is earlier than an assigned event date (see column 13, lines 24-34, examiner considers purchase order acknowledgment transaction set to confirmed the assigned status still active and available after reseller is compared against previously submitted assignment inherits an accurate event date is still earlier than an assigned event date).

As per claim 33, Gilles discloses calculating an event date interval (see column 13, lines 24-34, examiner considers purchase order acknowledgment transaction set to confirmed the assigned status still active and available inherits calculating an event date interval).

As per claim 34, claim 34 has been withdrawn from further consideration.

As per claim 35 (New), Giles discloses (A) obtaining from the user information regarding a location and physical characteristics of the collocation space and equipment to be installed therein; the collocation space comprising a physical space allocated for equipment belonging to a plurality of communications entities; (see column 6, lines 40-43, please refer to response to argument below); (B) setting data field values of the application based on the information provided by the user the application comprising a form for receiving the information provided by the user; (see column 6, lines 45-49, please refer to response to argument below); (C) prompting submission of the application (see column 6, lines 55-59, examiner considers information or data collected inherits prompt submission) ;(D) based on data in the application, generating a workbook comprising a plurality of sections, wherein a plurality of responsible entities provide information necessary to complete the plurality of sections (see column 5, lines 11-34, examiner considers purchase order as generating a workbook);(E) setting data field values of the plurality of sections based on data in the

application (see column 5, lines 16-24) ;(F) when a first section of the workbook is completed by a first responsible entity, notifying a second responsible entity (see column 5, lines 48-53) ; (G) sending a response to the application to the user (see column 5, lines 57-59, examiner considers providing status as sending response to the application to the user); (H) notifying a third responsible entity when a second section of the workbook is completed by the second responsible entity (see column 5, lines 48-53); (I) managing assignment of event dates and calculation of due dates related to the application, wherein the due dates are calculated utilizing a table-based lookup in order to determine due date intervals based on characteristics of the application; (see column 8, lines 13-24 and see column 4, table 1, examiner considers look up codes for transaction set in table one and due date inquiry initiated by reseller sent to wholesaler and getting response from wholesaler related to due date inherits managing assignment of event dates and calculation of due dates) and (J) allowing for revision of due dates for retroactive due date interval changes (see column 5, lines 25-34, examiner considers reseller requesting change to previously submitted purchase order inherently allow for revision of due dates for retroactive due date interval changes).

### ***Response to Arguments***

4. Applicant's arguments filed November 17<sup>th</sup>, 2005 have been fully considered but they are not persuasive. As per arguments filed on November 17<sup>th</sup>, 2005, the applicants' argue in substance that:

- i. As per claim 1, Gilles fails to disclose, teach, or suggest each and every feature specified in claim 1. As in instance, Giles fails to disclose obtaining user information regarding a location and physical characteristics of the collocation space and equipment install therein.

In response to applicant argument I), Gilles do disclose every feature specified in claim 1. For example Giles discloses (A) obtaining from the user information regarding a location and physical characteristics of the collocation space and equipment to be installed therein; the collocation space comprising a physical space allocated for equipment belonging to a plurality of communications entities; (see column 43-44 (section 850 Purchase order) and column 61-62, examiner considers the name and service address, geographic location, real estate property ID component and service identification discloses a physical space allocated for equipment belonging to a plurality of communication entities).

- ii. As per claim 1, Gilles fails to disclose, teach, or suggest each and every feature specified in claim 1. As in instance, Giles also fails to disclose that the application for collocation space comprises a form.

In response to applicant argument ii), Gilles do disclose every feature specified in claim 1. For example Giles discloses (B) setting data field

values of the application based on the information provided by the user the application comprising a form for receiving the information provided by the user; (see column 43-44 (section 850 Purchase order) and column 61-62, examiner considers the format of the purchase order transaction set for use within the context of an electronic data interchange environment discloses that the application comprising a form for receiving the information provided by the user).

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Saket K. Daftuar** whose telephone number is **571-272-8363**. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SKD  
December 16, 2005

*Khanh Dinh*  
*A.U. 2151*  
*Primary Examiner*